

REMARKS

Applicant has reviewed the Office Action of November 28, 2003 and offers the following remarks to accompany the above amendments.

Initially, Applicant amends the claims to make "far-end" consistent. No new matter is added. Applicant also amends the claims to provide proper antecedent basis for the "far-end" and rennumbers original claims 28-33 as 26-31. Again, no new matter is added, but the claims are placed in better condition for examination.

Claims 8-11 were objected to under 37 C.F.R. § 1.75(c) as being in improper form because of their multiple dependencies. Applicant respectfully traverses. Claims 8-11 each refer to claims 5-7 in the alternative. Claims 5-7 are not multiple dependent claims themselves. To this extent, 37 C.F.R. §1.75(c) specifically allows this sort of claiming. Confirmation of this can be found in MPEP §601.01(n)(A). Specifically, on page 600-72 of the August 2001 edition of the MPEP, an example is provided of acceptable multiple dependent claim wording. That example reads as follows: "Claim 10. A gadget as in any of claims 1 through 3 or 7 through 9, in which---." To the extent that the preamble of claims 8-11 recites "according to any of claims 5 through 7 . . .," the claims are presented in the alternative and do not depend from multiple dependent claims. To this extent, these claims are specifically allowable under the relevant regulations relating to multiple dependency. Applicant requests withdrawal of the objection thereto at this time and claim examination.

Claims 1-31 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hjalmtysson et al. (hereinafter "AT&T"). Applicant respectfully traverses. For a reference to anticipate a claim, the reference must show each and every claim element. Further, the elements of the reference must be arranged in the same manner as the elements in the claim. MPEP § 2131. This is a strict standard, and it has not been met in this case.

Claim 1 recites that the method takes place in a media gateway. Further, the claim recites that the media gateway receives a command from an associated media gateway controller. The media gateway then sends the end-to-end call identifier (EECID) to the associated media gateway controller, and has other interaction with the media gateway controller. The Patent Office opines that the receiving of a command from an associated media gateway controller is shown at col. 5, lines 31-42; col. 7, line 57-col. 8, line 27; col. 16, lines 45-55; and col. 22, lines 10-33 of AT&T. Applicant respectfully traverses this assertion. The cited passages talk about a

call request being sent from the calling station 201 to the called station 210 via switch 203 and switch 205. At no time is a controller such as the recited media gateway controller involved in the process. The lack of a controller is confirmed by AT&T, col. 7, lines 45-52. Since a controller is not involved in the process, the element construed as the media gateway cannot receive from the media gateway controller a command to establish a connection for the call. Likewise, since there is no media gateway controller, the media gateway cannot send the EECID to the media gateway controller.

The Patent Office does indicate that AT&T, col. 19, lines 10-37 shows "notifying the media gateway controller that the connection has been established." While a controller is described in the cited passage, it is a different embodiment from that previously used by the Patent Office. Thus, the elements in col. 19, lines 10-37 are not arranged relative to the elements of the other cited passages. To this extent, the elements of the reference are not arranged as claimed as required by the strict standards of an anticipation analysis and an anticipation rejection is not supported. The cited passage, while it does mention a controller, also fails to show that the EECID is passed to the controller. To this extent, this passage, even though it has a controller, does not show the rest of the claim elements.

Since the reference does not show the recited media gateway and the recited media gateway controller, the claim is not anticipated by the reference. If the Patent Office disagrees, Applicant requests that the Patent Office identify by reference number which element in AT&T is the media gateway and which element in AT&T is the media gateway controller. In the absence of such an identification, the claim defines over the reference.

Claims 2-4 depend from claim 1 and are not anticipated at least for the same reasons.

Claim 5 recites the inverse of claim 1, but still recites both the media gateway controller and the media gateway, as well as the interactions therebetween. While the Patent Office cites the controllers in col. 19, this passage does not show the recited "sending the EECID to an associated media gateway and the to the far-end media gateway controller." To this extent, the reference does not anticipate this claim.

Claims 6-11 depend from claim 5 and are not anticipated at least for the same reasons.

Claims 12-31 recite similar sorts of elements. As explained above, AT&T does not show the recited passing of the EECID back and forth from a media gateway to and from a media

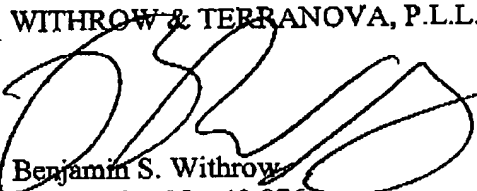
gateway controller. To this extent, AT&T does not show all the claim elements and does not anticipate the claims.

Applicant requests reconsideration of the rejections in light of the remarks presented herein. The reference does not show the recited claim elements and cannot anticipate the claims. Applicant earnestly solicits claim allowance at the Examiner's earliest convenience.

Respectfully submitted,

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